

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since the article was represented as a drug suitable for intravenous use and it was not suitable for such use in that it was contaminated with viable micro-organisms and pyrogens.

DISPOSITION: February 12, 1954. Default decree of condemnation and destruction.

4372. Adulteration and misbranding of liver-folic acid-B₁₂ and Foliver. U. S. v. 30 Vials, etc. (F. D. C. No. 36397. Sample Nos. 58616-L, 58617-L.)

LABEL FILED: February 18, 1954, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about October 2 and 7, 1953, from Philadelphia, Pa.

PRODUCT: 30 vials of *liver-folic acid-B₁₂* and 41 vials of *Foliver* at Detroit, Mich. Analyses showed that the products contained less than 50 percent of the declared amount of vitamin B₁₂.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the articles differed from that which they purported and were represented to possess, namely, 60 micrograms of vitamin B₁₂ per cubic centimeter.

Misbranding, Section 502 (a), the statement "Each cc. contains: Vit. B₁₂ * * * 60 Mcg." appearing on the labels of the articles was false and misleading as applied to the articles, which contained less than 60 micrograms of vitamin B₁₂ per cubic centimeter.

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 16, 1954. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4373. Misbranding of C-Tone. U. S. v. 87 Bottles, etc. (F. D. C. No. 36158. Sample No. 26489-L.)

LABEL FILED: December 3, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 22 and 30 and November 4, 1953, by *Balanced Foods, Inc.*, from New York, N. Y.

PRODUCT: 87 8-ounce bottles of *C-Tone* at Philadelphia, Pa., together with a number of circulars entitled "Which of These Dread Killers Threaten Your Advancing Years?"

LABEL, IN PART: (Bottle) "Rich In Activated Enzymes C-Tone The Natural Vitamin C Tonic A splendid aid in quickly correcting conditions caused by deficiency of Vitamin C in the diet. This natural concentrate also supplies other essential nutritional factors as well as generous amounts of Pectin. Four tablespoons furnish: Natural Vitamin C 250 mg. Natural Rutin (Vitamin P Complex) 5 mg. Natural Vitamin K 1 mg. Natural Niacin 0.08 mg. Natural Pectin (Protopectins incl.) 500 mg. Natural Citric Acid 57 mg. Natural Chlorophyll 0.01 mg. and small amounts of natural Vitamin B₁ and B₂. Calcium and Phosphorus in a vegetable extract base rich in activated enzymes. * * * Sale and Exclusive Distributors Byrne Products, Inc. New York 7, N. Y."

*See also Nos. 4369, 4372.